IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE HARUN-UL-RASHID

TUESDAY, THE 23RD OCTOBER 2007 / 1ST KARTHIKA 1929

LA.App..No. 707 of 2005()

LAR.73/1998 of PRL.SUB COURT, KOZHIKODE
.....

APPELLANT: RESPONDENT:

STATE OF KERALA.

BY GOVT.PLEADER SMT.K.R.DEEPA.

RESPONDENTS: CLAIMANT:

PAROL KRISHNAN KUTTY NAIR,
KUNNATH HOUSE, P.O. KARUVATTOOR, KOZHIKODE.

BY ADV. SMT.T.KAMALA MENON

THIS LAND ACQUISITION APPEAL HAVING BEEN FINALLY HEARD ON 23/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

KURIAN JOSEPH & HARUN-UL-RASHID, JJ.

L.A.A.No.707 of 2005

Dated this the 23rd day of October, 2007

JUDGMENT

Kurian Joseph,J.

This appeal is filed against the judgment and decree in L.A.R.No.73/1998 on the file of the Sub Court, Kozhikode. The reference court placed reliance on the judgment in L.A.R.No.362/1997. The appeal filed against that reference has been dismissed as per the judgment in L.A.A.No.591/2001. Learned counsel for the claimant submits that the claimant is entitled to interest on solatium. Being a settled position, there cannot be any dispute on that. Therefore, this appeal is dismissed however, clarifying that in case the claimant has not been granted interest on solatium the claimant shall be entitled to the same.

(KURIAN JOSEPH, JUDGE)

(HARUN-UL-RASHID, JUDGE)

ahg.

KURIAN JOSEPH &
HARUN-UL-RASHID, JJ.

L.A.A.No.707 of 2005

JUDGMENT

23rd October, 2007